

From: David Galindo david.galindo@tceq.texas.gov
Subject: FW: Honey Creek
Date: April 18, 2019 at 5:33 PM
To: Gregg Easley gregg.easley@tceq.texas.gov, Peter Schaefer peter.schaefer@tceq.texas.gov, Lili Murphy lili.murphy@tceq.texas.gov

DG

From: Kelly Leach <kelly.welovedirt@gmail.com>
Sent: Thursday, April 18, 2019 4:14 PM
To: David Galindo <david.galindo@tceq.texas.gov>; Firoj Vahora <firoj.vahora@tceq.texas.gov>
Subject: Fwd: Honey Creek

FYI

Sent from my iPhone

Begin forwarded message:

From: James Murphy <James.Murphy@tpwd.texas.gov>
Date: April 4, 2019 at 3:09:55 PM CDT
To: David Tuckfield <david@allawgp.com>, Kelly Leach <kelly.welovedirt@gmail.com>
Subject: RE: Honey Creek

Thank you David. I'll forward to Brent and Carter.

From: David Tuckfield <david@allawgp.com>
Sent: Thursday, April 4, 2019 9:17 AM
To: James Murphy <James.Murphy@tpwd.texas.gov>; Kelly Leach <kelly.welovedirt@gmail.com>
Subject: Honey Creek

James – Thank you for meeting with us on Tuesday.

I am sending this e-mail to re-cap what we discussed and to be sure that we have communicated what we would be willing to do in a settlement to provide TPWD with the assurances they need regarding the Honey Creek Permit.

As we discussed, we are willing to incorporate various aspects of the Belterra Settlement Agreement into a settlement agreement here. I have attached an electronic copy of that Settlement Agreement.

As you are aware, the Belterra Settlement Agreement was executed with various parties including LCRA, the City of Dripping Springs, Hays Trinity Groundwater Conservation District, and Barton Springs Edwards Aquifer Conservation District. If you think it might be useful, although I do not represent Belterra and I cannot guarantee it, I could try to arrange a “field trip” to the Belterra facility so that TPWD can see how that Settlement Agreement has been implemented and that there has, in fact, been no discharges pursuant to that Settlement Agreement.

Along these lines, as we discussed on Tuesday, we are offering the following for a

Settlement Agreement:

- 1) Stormwater: Although the stormwater requirements are already dictated by TCEQ, we are willing to discuss additional detention above and beyond that which is required.
- 2) A 0.15 phosphorous limit (this is the most stringent discharge limit in the State).
- 3) Instead of an activated sludge plant, we would be willing to agree to an MBR plant.
- 4) Instead of chlorine disinfection, we would be willing to do UV disinfection.
- 5) Storage for treated effluent:
 - a. Build 2 million gallons of storage before operation of plant;
 - b. Add an additional 1 million gallons of storage upon reaching the trigger of treating 200,000 gpd (total of 3 million gallons);
 - c. Add an additional 1 million gallons of storage upon reaching the trigger of treating 300,000 gpd (total of 4 million gallons);
 - d. Upon reaching the trigger of treating 300,000 gpd, we will apply for a TLAP permit to authorize 100,000 gpd through land application;
 - e. Add an additional 1 million gallons of storage upon reaching the trigger of treating 450,000 gpd (total of 5 million gallons).
- 6) Like the Belterra, settlement we would dedicate 1 acre of spray area for every 1741 gallons of daily treatment. For example, we would dedicate 57 acres for 100,000 gpd of treatment and no area north of the gas line would be used as spray area.
- 7) Position all 210 beneficial reuse South of the gas pipeline that traverses the property.
- 8) Agree by contract that only areas within the boundaries of the district or currently owned by the landowner could be served by treatment plant and we would agree not to increase the size of permit without consent of TPWD.
- 9) Agree to not expand the MUD's boundaries.
- 10) Assure 100 foot buffer between the development and the State Park (with a conservation easement).
- 11) Restrict the use of pesticides.
- 12) Monitor the springs and onsite wells for a baseline (starting with permit approval). Note: access to the spring would be required from TPWD.

- 13) Require a Class A Operator.
- 14) Provide a fence along park boundary similar to existing fencing.
- 15) Provide water monitoring along drainage areas.



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